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LAW ON INTELLECTUAL PROPERTY

A smart fight against IPR infringements

By Nguyen Tran Tuyen

The current Law on Intellectual Property of Vietnam (Vietnam IP Law) and legal documents guiding the implementation of Vietnam IP Law are considered giant improvements and more in line with the international rules and obligations.

However, in practice, some regulations on enforcement of intellectual property rights (IPRs) seem unclear in the process of the implementation of the Vietnam IP Law. This article looks at handling IPR infringement acts under administrative procedures (Article 211 of Vietnam IP Law) and handling IPR infringing goods for the purpose of exportation (Articles from 216 to 219 of Vietnam IP Law).

We need your evidence of damage for the fight

Article 211.1.a of Vietnam IP Law provides that organizations and individuals that commit the acts of infringing upon intellectual property rights, *which causes damage to authors, owners, consumers or society*, shall be administratively sanctioned.

This means that to enable IP enforcement and authorities in Vietnam¹ to take legal actions against infringers, IP owners must provide these bodies with their evidence of damage directly caused by the infringers together with their requests for handling.

This simple provision has caused difficulty for IP owners as well as their IP agents/attorneys in the process of taking legal against infringers. This is because it is not easy for any IP owners to evaluate how much their income/profit or reputation has been damaged because of infringers' acts. In order to quickly meet this requirement, some requesters may submit inappropriate evidence of damage or even fake evidence to the IP enforcement authorities. Also, the IP enforcement authorities may reject the request for handling if they found out that evidence of damage provided by the requester is inappropriate or insufficient. Both contexts, as mentioned above, have proved that requirement of evidence of damage may be abused in practice.

Therefore, IP enforcement authorities have the right to reject requests for handling if (i) the requester fails to submit evidence of damage or (ii) evidence of damage has not been accepted by the IP enforcement authorities². We are of the opinion that although evidence of damage has not been rendered as a compulsory requirement of a request for handling in accordance with Article 26 of Decree No. 97/2010/ND-CP of September 21, 2010 on handling of administrative violations in the field of industrial property (Decree No. 97) and Article 23 of Decree No. 105/2006/ND-CP

¹ They are Science and Technology inspectorate, Information and Communication inspectorate, Market Management Authorities, Customs Offices, Economic Police Offices, Vietnam Competition Authority, Provincial or District People's Committees (Article 15 of Decree No. 97/2010/ND-CP of 21 Sep. 2010)

² In accordance with Article 27.2.b and Article 30.1.b of Decree No. 97/2010/ND-CP of 21 Sep. 2010

of 22 September 2006 amended and supplemented under Decree No. 119/2010/ND-CP of 30 December 2010 detailing and guiding some articles of Vietnam IP Law on protection of intellectual property rights and State management on intellectual property (Decree No. 105), based on Article 211.1.a of Vietnam IP Law, the IP enforcement authorities are still entitled to reject the request for handling that does not include evidence of damage with the request. This is because Vietnam IP Law prevails than Decree No. 97 and Decree No. 105³.

Therefore, in practice, this provision may create an ironic situation in which the IP owner may not take legal actions against obvious IP infringement acts if he/she is not able to provide evidence of damage to the IPR enforcement authorities.

Moreover, theoretically, evidence of damage seems to be the requirement for bringing an action of damages at a civil court to settle disputes between individuals. Accordingly, the evidence of damage is considered as a requirement for settlement of civil disputes but not for settlement of administrative violations. Also, public orders, public interests, and State management orders, not individual interests are the objects that should be protected by State administrative authorities. Therefore, if an IP infringement act is considered as an administrative violation that causes a bad influence or public orders and State management order protected by laws, this kind of violation must be prohibited and punished by State authorities without delay, regardless of whether this violation has caused damage for IP owners or not.

Thus, it might be inappropriate if evidence of damage for IP owners is considered as requirement for taking legal actions against the infringers under administrative procedures.

Should lawmakers consider removing the element “*which causes damage to authors, owners, consumers or society*” from provision at Article 211.1.a of Vietnam IP Law.

Control without the authority to handle

Articles 216, 217, 218 and 219 of Vietnam IP Law provide with control of intellectual property related importations and/or exportations. Accordingly, measures to control goods for importation and exportation are equally and similarly carried out by Customs Offices of Vietnam⁴. According to these provisions, measures on control and supervision of goods for exportation and importation relating to IP has been comprehensively provided in Law on Customs (under Articles 57 and 58), Decree No. 154, Decree No. 105 and Decree No. 97.

The problem occurs when according to Article 11.11.c of Decree No. 97, the act of importation of goods that infringed another party's rights over trademarks, geographical indications, trade names and industrial designs are forbidden and strictly handled. However, the similar act of exportation shall not be forbidden and handled under Decree No. 97. For some authorities and IP experts, the act of exportation of IP infringing goods even should not be considered as an IP

³ In accordance with Articles 2 and 80 of Law on issuance of legal documents of 23 Nov.1996

⁴ In accordance with Law on Customs, Decree No. 105, Decree No. 154/2005/ND-CP of 15 Dec.2005 detailing some articles of Law on Customs on customs procedures, control and supervision on customs (Decree No. 154)

infringement since this act has not been stipulated in Article 124.5 (use of a trademark) and Article 129 (acts of infringing upon the rights to trademarks) of Vietnam IP Law.

Such an inconsistency under Decree No. 97 has resulted in problem that Customs Offices are not entitled to control and temporarily seize the IP infringing goods for exportation since they do not have the right to handle the said goods.

Thus, there might be a risk that the IP owners may not take legal actions against infringers with the clear infringement evidence if the Customs Office does not transfer the case to a competent IP enforcement authority to continue the investigation and handle the infringer(s) for the act(s) of manufacturing and/or transporting and/or storing of the infringing goods under laws and regulations of Vietnam within the duration of suspension of customs procedures (not exceeding 20 working days). In this case, the IP owners even shall have to incur all costs and expenses from the temporary suspension of customs procedures as compensation for the infringer if one of the competent IP enforcement authorities of Vietnam does not accept the case for further investigating and handling the infringing goods being temporarily seized at the Customs Office. Also, the IP owner still has to compensate the infringer for all costs and expenses due to the temporary suspension of customs procedures if the IP enforcement authority has not been able to obtain evidence of manufacturing and/or transporting and/or storing of the infringing goods from such infringer.

Also, in practice, within the maximum of 20 working days, it is very difficult for the IP owners to prepare, submit the petition to a competent court as well as persuade the court to issue at the same time both decisions on acceptance of the case and on application of provisional urgent measures to continue to temporarily seize the infringing goods at the Customs Office.

Giving the Customs Offices the right to supervise and suspend customs procedures over the infringing goods without providing them sanctions over the act of exportation of the infringing goods may cause serious risk and trouble for the IP owner when he/she decides to apply measures to control goods for exportation at the borders of Vietnam. This inconsistency in Vietnamese laws and regulations may not only cost much time and money for IP owners in taking legal actions against IPR infringement, but also cause the ironic risk for the IP owners that he/she may fail to fight against the infringer and have to compensate for all costs and expenses incurring from the temporary suspension of customs procedures. Thus, further amendment and supplementation to the Vietnam IP Law and its relevant regulations on sanctions of the act of exportation of the IP infringing goods is necessary to enhance and improve effectiveness of Vietnam IP Law as well as IPRs enforcement activities in Vietnam.

Various conditions are required to enable the effective enforcement of laws in general and IPR protection and enforcement in particular. Among them, a sufficient and consistent legal system is considered as the most important instrument. Thus, the above-mentioned obstacles should be duly solved to enhance the effectiveness of IPR enforcement activities in Vietnam in the coming time./.

Other Sectors

Finance

- On May 31st, 2011, the State Bank of Vietnam stipulated Circular No.13/2011/TT-NHNN providing for the purchase and sale of foreign currencies by the State economic groups and general corporations.
- Circular No. 73/2011/TT-BTC dated May 30th, 2011 of the Ministry of Finance providing for the financial management regime of Funds for supporting and mobilizing overseas Vietnamese communities.
- On May 11th, 2011, the Ministry of Finance issued Circular No. 58/2011/TT-BTC providing for the management, use and finalization of expenditures for conducting statistical surveys.
- Circular No. 57/2011/TT-BTC dated May 5th, 2011 of the Ministry of Finance providing for the supplement to the State Budget Index.

Banking

- On May 31st, 2011, the State Bank of Vietnam stipulated Circular No.13/2011/TT-NHNN on foreign currency trading by State-owned economic groups and general corporations.
- Circular No.12/2011/TT-NHNN dated May 17th, 2011 of the State Bank of Vietnam on the management and use of digital signatures, digital certificates and certification services of digital signature of the State Bank.

Taxation

- On May 17th, 2011, the Prime Minister issued Decision No. 732/QD-TTg approving the tax system reform strategy for the period from 2011 to 2020.
- Circular No. 68/2011/TT-BTC dated May 18th, 2011 of the Ministry of Finance providing guidelines for the special preferential import tax applicable to Cambodia-originated goods.
- On May 18th, 2011, the Ministry of Finance stipulated Circular No. 67/2011/TT-BTC amending export tax rates applicable to iron ore and iron fine ore item under Group 26.01 specified in the Export Tariff.
- Circular No. 59/2011/TT-BTC dated May 12th, 2011 of the Ministry of Finance providing guidelines for the financial management mechanism and staffing with regard to the General Department of Taxation and the General Department of Customs for the period from 2011 to 2015.

Trade

- On May 30th, 2011, the Ministry of Industry and Trade issued Decision No. 2644/QD-BCT correcting Decision No. 4346/QD-BCT dated August 17th, 2010 of the Ministry of Industry and Trade.
- Decision No. 31/2011/QD-UBND dated May 20th, 2011 of the People's Committee of Ho Chi Minh City on the authority to certify contracts and transactions in Ho Chi Minh City area.
- On May 19th, 2011, the Hanoi People's Committee stipulated Decision No.17/2011/QD-UBND promulgating the Regulation on activity co-ordination among State management bodies of Hanoi in the management of representative offices and branches of foreign traders operating in the field of trade and special trade.
- Decision No.16/2011/QD-UBND dated May 18th, 2011 of the Hanoi People's Committee promulgating the Regulation on co-ordination in management of multi-level sales in Hanoi area.
- On May 17th, 2011, the Prime Minister issued Decision No. 28/2011/QD-TTg promulgating the List of export and import services in Vietnam.
- Circular No. 22/2011/TT-BCT dated May 31st, 2011 of the Ministry of Industry and Trade providing for the elaboration, evaluation and issuance of legal documents by the Ministry of Industry and Trade.
- On May 23rd, 2011, the Ministry of Finance stipulated Circular No. 70/2011/TT-BTC detailing a number of contents of Decision No. 15/2011/QD-TTg dated March 9th, 2011 of the Prime Minister on the annual purchase of foods for State reserves.
- Circular No. 21/2011/TT-BCT dated May 20th, 2011 of the Ministry of Industry and Trade providing for the management of operations of temporary import for re-export of frozen foods.
- On May 18th, 2011, the Ministry of Finance and Ministry of Justice jointly issued Inter-ministerial Circular No. 69/2011/TTLT-BTC-BTP providing guidelines for the regime of collection, payment, management and use of fees for registration of secured transactions and supply of information thereabout, and fees for using regular customer services.
- Circular No. 64/2011/TT-BTC dated May 13th, 2011 of the Ministry of Finance providing guidelines for the implementation of Decision No. 19/2011/QD-TTg dated March 23rd, 2011 of the Prime Minister on the pilot implementation of receipt of goods declaration and other relevant vouchers and electronic clearance for sea-going ships in entry or exit Vietnam.

- On May 13th, 2011, the Ministry of Finance stipulated Circular No. 63/2011/TT-BTC providing for the pilot application of priority regime in the field of State management on customs for qualified enterprises.
- Circular No. 20/2011/TT-BCT dated May 12th, 2011 of the Ministry of Industry and Trade providing additional procedures for import of passenger transporting cars, which have 9 seats or less.
- On May 12th, 2011, the Ministry of Finance issued Circular No. 61/2011/TT-BTC amending and supplementing Circular No. 41/2005/TT-BTC dated May 26th, 2005 of the Ministry of Finance providing guidelines for a number of articles of Decree No. 10/2005/ND-CP dated October 31st, 2005 providing for traditional flags, pennants, symbols, customs badges, insignias, stripes and customs certificates.
- Circular No. 19/2011/TT-BCT dated May 6th, 2011 of the Ministry of Industry and Trade providing for standard forms of minutes and decisions used in activity of inspecting and dealing with administrative violations by the market management agencies.

Labour

- On May 19th, 2011, the Ministry of Labour, Invalids and Social Affairs stipulated Circular No. 16/2011/TT-BLDTBXH providing guidelines for the implementation of special allowances regime in favour of employees working in the areas of Spratly Islands and DKI.
- Circular No. 15/2011/TT-BLDTBXH dated May 10th, 2011 of the Ministry of Labour, Invalids and Social Affairs providing for the organization and management of the evaluation and issuance of national certificates of vocational skills.
- On May 6th, 2011, the Ministry of Home Affairs and the Ministry of Finance jointly issued Inter-ministerial Circular No. 04/2011/TTLT-BNV-BTC providing guidelines for the implementation of minimum salary level as from May 1st, 2011 in State-owned agencies, political organizations, politico – social organizations, and non-business units.

Education

- Decree No. 31/2011/ND-CP dated May 11th, 2011 on the amendment and supplement to a number of articles of Decree No. 75/2006/ND-CP dated June 2nd, 2006 detailing and providing guidelines for the implementation of a number of articles of Law on Education.

- On May 30th, 2011, the Ministry of Education and Training stipulated Circular No. 22/2011/TT-BGDDT promulgating the Regulations on scientific and technological activities in higher education institutions.
- Circular No. 20/2011/TT-BGDDT dated May 24th, 2011 of the Ministry of Education and Training promulgating the standard form of Honorary Doctorate Degree.
- On May 24th, 2011, the Ministry of Education and Training issued Circular No.19/2011/TT-BGDDT promulgating the standard form of University Diploma.

Transport

- Decree No. 33/2011/ND-CP dated May 16th, 2011 amending and supplementing a number of articles of Decree No. 34/2010/ND-CP dated April 2nd, 2010 providing for the sanctioning of administrative violations in the field of land road traffic.
- On May 27th, 2011, the Ministry of Finance and Ministry of Transport jointly stipulated Inter-Ministerial Circular No. 72/2011/TTLT-BTC-BGTVT providing guidelines for the financial management mechanism applicable to training land road motorized vehicle drivers.
- Circular No. 41/2011/TT-BGTVT dated May 18th, 2011 of the Ministry of Transport amending and supplementing a number of articles of Circular No.23/2009/TT-BGTVT dated October 15th, 2009 of the Minister of Transport providing for the quality, technical safety and environmental protection inspection of special-use vehicles.
- On May 18th, 2011, the Ministry of Transport issued Circular No. 39/2011/TT-BGTVT providing guidelines for the implementation of a number of articles of Decree No. 11/2010/ND-CP dated February 24th, 2010 providing for the management and protection of land road infrastructures.
- Circular No. 66/2011/TT-BTC dated May 18th, 2011 of the Ministry of Finance providing guidelines for the fees for issuance of licences for business in transport by car.
- On May 13th, 2011, the Ministry of Finance, Ministry of Industry and Trade and Ministry of Transport jointly stipulated Inter-ministerial Circular No.62/2011/TTLT-BTC-BCT-BGTVT amending and supplementing Section IV of Inter-ministerial Circular No. 08/2004/TTLT-BTM-BTC-BGTVT dated December 17th, 2004 of the Ministry of Trade (now the Ministry of Industry and Trade), Ministry of Finance and Ministry of Transport providing guidelines for the implementation of container transshipment services at Vietnamese seaports.
- Circular No. 37/2011/TT-BGTVT dated May 6th, 2011 of the Ministry of Transport amending and supplementing a number of articles of the Regulations

on renovation of motorized means of land road transport accompanying Decision No.15/2005/QĐ-BGTVT dated February 15th, 2005, and of the regulations on conditions for establishment and operation of Register Offices for motor vehicles accompanying Decision No. 45/2005/QĐ-BGTVT dated September 23rd, 2005, Circular No. 10/2009/TT-BGTVT dated June 24th, 2009 and Circular No. 22/2009/TT-BGTVT dated October 6th, 2009.

- On May 6th, 2011, the Ministry of Transport issued Circular No. 36/2011/TT-BGTVT amending and supplementing a number of articles of Circular No.02/2009/TT-BGTVT dated April 3rd, 2009 of the Minister of Transport providing for the quality, technical safety and environmental protection inspection of means of railroad transport.
- Circular No. 35/2011/TT-BGTVT dated May 6th, 2011 of the Ministry of Transport providing for procedures for grant of certificates of technical safety quality for handling machinery, boilers and pressure equipment used in transport.

Construction

- On May 6, 2011, the Government stipulated Decree No. 30/2011/NĐ-CP on the management and protection of technical safety corridors of military antenna systems.
- Decision No. 28/2011/QĐ-UBND dated May 19th, 2011 of the People's Committee of Ho Chi Minh City promulgating the regulations on adjustments in urban planning in Ho Chi Minh City.
- On May 6th, 2011, the Hanoi People's Committee issued Decision No.15/2011/QĐ-UBND promulgating the regulations on dealing with lands, which do not satisfy condition on construction site plan existing along roads and principles of implementation of projects on investment in construction of new roads in the area of Hanoi.
- Circular No. 04/2011/TT-BXD dated May 5th, 2011 of the Ministry of Construction promulgating national standards of vocational skills for professions in the field of construction.

Land

- On May 4th, 2005, the Ministry of Finance issued Decision No. 994/QĐ-BTC correcting Circular No. 39/2011/TT-BTC dated March 22nd, 2011 of the Ministry of Finance providing guidelines for the amendment and supplement to Circular No. 83/2007/TT-BTC dated July 16th, 2007 of the Ministry of Finance providing guidelines for the implementation of Decision No. 09/2007/QĐ-TTg dated January 19th, 2007 and Circular No. 175/2009/TT-BTC dated September 9th, 2009 of the Ministry of Finance providing guidelines for a number of contents of

Decision No. 140/2008/QĐ-TTg dated October 21st, 2008 of the Prime Minister on re-organization and settlement of State-owned land and housing.

- Circular No. 16/2011/TT-BTNMT dated May 20th, 2011 of the Ministry of Natural Resources and Environment amending and supplementing a number of contents related to administrative procedures in the field of land.

Natural Resources - Environment

- On May 25th, 2011, the Prime Minister stipulated Decision No. 798/QĐ-TTg approving the Program on investment in solid waste treatment for the period from 2011 to 2020.
- Decision No. 2459/QĐ-BCT dated May 19th, 2011 of the Ministry of Industry and Trade on adjusting and supplementing the Vietnamese zoning plan for exploration, exploitation, processing and use of gold ore, copper, nickel, molybdenum up to 2015, with orientation to 2025.
- On May 17th, 2011, the Ministry of Industry and Trade issued Decision No. 2409/QĐ-BCT supplementing the zoning plan for exploration, exploitation, processing and use of group mineral, raw material white limestone (marble), feldspar, kaolin and magnezit up to 2015, with orientation to 2025.
- Decision No. 2408/QĐ-BCT dated May 17th, 2011 of the Ministry of Industry and Trade supplementing the zoning plan for exploration, exploitation, processing and use of chromium ore, manganese for the period from 2007 to 2015, with orientation to 2025.
- On May 4th, 2011, the Prime Minister stipulated Decision No. 26/2011/QĐ-TTg providing for the functions, duties, powers and organizational structure of the Department of Geology and Minerals directly under the Ministry of Natural Resources and Environment.

Science – Technology

- Decision No. 735/QĐ-TTg dated May 18th, 2011 of the Prime Minister approving the Project on international integration in science and technology up to 2020.
- On May 10th, 2011, the Prime Minister issued Decision No. 682/QĐ-TTg approving the Project on implementation of the Agreement on Technical Barriers to Trade for the period from 2011 to 2015.
- Decision No. 677/QĐ-TTg dated May 10th, 2011 of the Prime Minister approving the Program on national technology renovation up to 2020.
- On May 9th, 2011, the Ministry of Science and Technology stipulated Circular No. 05/2011/TT-BKHCN promulgating standard forms of documents used in activities of inspection, sanctioning of administrative violations and settlement of complaints and denunciations in the field of science and technology.

Administration - Judiciary

- Decree No. 38/2011/ND-CP dated May 26th, 2011 amending and supplementing a number of articles providing for administrative procedures in accordance with Decree No. 181/2004/ND-CP dated October 29th, 2004, Decree No.149/2004/ND-CP dated July 27th, 2004, and Decree No. 160/2005/ND-CP dated December 27th, 2005.
- On May 23rd, 2011, the Government issued Decree No. 37/2011/ND-CP amending Decree No. 48/2008/ND-CP dated April 17th, 2008 providing for the functions, duties, powers and organizational structure of the Ministry of Home Affairs.
- Decree No. 35/2011/ND-CP dated May 18th, 2011 on legal measures to protect national security and maintain social order and safety.
- On May 17th, 2011, the Government stipulated Decree No. 34/2011/ND-CP providing for disciplines against public officials.
- Decision No. 767/QD-TTg dated May 23rd, 2011 of the Prime Minister on the establishment of the State Compensation Department directly under the Ministry of Justice.
- On May 10th, 2011, the Prime Minister issued Decision No. 679/QD-TTg approving the Action program on prostitution prevention and combat for the period from 2011 to 2015.
- Decision No. 678/QD-TTg dated May 10th, 2011 of the Prime Minister approving the strategy for development of legal assistance in Vietnam up to 2020, with orientation to 2030.
- On May 24th, 2011, the Ministry of Finance stipulated Circular No. 71/2011/TT-BTC providing guidelines for the extraction for establishment, management and use of the Emulation and Commendation Fund accompanying Decree No.42/2010/ND-CP dated April 15th, 2010 detailing the implementation of a number of articles of Law on Emulation and Commendation.
- Inter-ministerial Circular No. 03/2011/TTLT-BNV-TTCP dated May 6th, 2011 of the Ministry of Home Affairs and Government Inspectorate providing for the commendation and rewarding of individuals who have outstanding achievements in the denunciation and detection of corruption acts.

Agriculture - Forestry

- On May 30th, 2011, the Prime Minister issued Decision No. 809/QD-TTg approving the project on strengthening capacity of managing quality of agricultural, forestry and aquatic products and salt for the period from 2011 to 2015.

- Decision No. 673/QĐ-TTg dated May 10th, 2011 of the Prime Minister on direct implementation and coordination of Vietnam Farmers' Union to implement some programs and projects on rural economic, cultural and social development for the period from 2011 to 2020.
- On May 27th, 2011, the Ministry of Agriculture and Rural Development stipulated Circular No. 40/2011/TT-BNNPTNT providing for capacity of organizations and individuals participating in the management and exploitation of irrigation works.
- Circular No. 39/2011/TT-BNNPTNT dated May 24th, 2011 of the Ministry of Agriculture and Rural Development providing guidelines for the establishment of master planning and detailed planning on the migration for resettlement and organization of agriculture, forestry and fishery production development associated with the processing and consumption of products of irrigation and hydropower projects' resettlement areas.
- On May 23rd, 2011, the Ministry of Agriculture and Rural Development issued Circular No. 38/2011/TT-BNNPTNT providing guidelines for the implementation of a number of articles of Decree No. 02/2010/ND-CP dated January 8th, 2010 on encouraging agricultural expansion.
- Inter-ministerial Circular No. 37/2011/TTLT-BNNPTNT-BNV dated May 23rd, 2011 of the Ministry of Agriculture and Rural Development and Ministry of Interior providing guidelines for the functions, duties, powers and organizational structure of Animal Health Branches directly under the provincial Departments of Agriculture and Rural Development.
- On May 20th, 2011, the Ministry of Agriculture and Rural Development stipulated Circular No. 36/2011/TT-BNNPTNT promulgating the list of plant protection drugs permitted for use, restricted and prohibited from use in Vietnam.
- Circular No. 35/2011/TT-BNNPTNT dated May 20th, 2011 of the Ministry of Agriculture and Rural Development providing guidelines for the implementation of exploitation and salvage collection of timber and non-timber forest products (NTFPs).
- On May 16th, 2011, the Ministry of Finance issued Circular No. 65/2011/TT-BTC providing guidelines for the support of loan interest rate and compensation for loan interest difference resulting from the implementation of support policies to reduce losses after harvesting for agricultural and aquatic products.
- Circular No. 33/2011/TT-BNNPTNT dated May 6th, 2011 of the Ministry of Agriculture and Rural Development promulgating the National technical code on veterinary hygiene conditions.

Investment

- On May 17th, 2011, the Prime Minister stipulated Decision No. 726/QD-TTg approving the Agreement between the Government of the Socialist Republic of Vietnam and the Government of the Kingdom of Oman on the mutual promotion and protection of investments.
- Decision No. 602/QD-BKHDT dated May 9th, 2011 of the Ministry of Planning and Investment approving the list of investment promotion activities under the National Program of Investment Promotion in 2011.
- On May 17th, 2011, the Ministry of Planning and Investment issued Circular No.07/2011/TT-BKHDT on the application of statistical indicator "Monthly Index of Industrial Production" to replace the indicator "Monthly industrial output value at constant 1994 prices".

Miscellaneous

- Decree No. 39/2011/ND-CP dated May 26th, 2011 amending and supplementing a number of articles of Decree No. 185/2004/ND-CP dated November 4th, 2004 on sanctioning of administrative violations in the field of accounting.
- On May 16th, 2011, the Government stipulated Decree No. 32/2011/ND-CP amending and supplementing a number of articles of Decree No. 162/2006/ND-CP dated December 28th, 2006 on the wage and attire regimes applicable to cadres, public officials and public servants of the State Audit and the priority regime for state auditors.
- Circular No. 17/2011/TT-BLDTBXH dated May 19th, 2011 of the Ministry of Labour, War Invalids and Social Affairs providing for dossiers and procedures for implementation of monthly social allowances, burial expense assistance, and receipt of elderly people in social protection facilities.
- On May 17th, 2011, the Ministry of Health issued Circular No. 17/2011/TT-BYT providing for radioactive contamination limit of foods.
- Decision No. 674/QD-TTg dated May 10th, 2011 of the Prime Minister approving the Project "Strengthening and improving the quality of macro forecasts".

Contact Details

Hanoi Head Office

Mr. Pham Nghiem Xuan Bac

Managing Partner

Mr. Luu Tien Ngoc

Director, Business Development

Mr. Pham Minh Hai

Partner, Consulting Practice

Ms. Le Quynh Anh

Executive Partner, Legal Practice

Ms. Le Thi Kim Dung

Partner, Intellectual Property Practice

Unit 308-310, 3rd Floor, Hanoi Towers

49 Hai Ba Trung, Hanoi, Vietnam

Tel: 84-4-3934 0629/ 3826 4797 Fax: 84-4-3934 0631

E-mail: vision@vision-associates.com

Ho Chi Minh City Office

Mr. Luu Tien Ngoc

Partner, HCMC office

Mr. Geoffrey Hugh Sutherland

Foreign Lawyer

Unit 1801, 18th Floor, Saigon Trade Centre

37 Ton Duc Thang Street, District 1

Ho Chi Minh City, Vietnam.

Tel: 84-8-3823 6495 Fax: 84-8-3823 6496

E-mail: hcmvision@vision-associates.com

www.vision-associates.com